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Attorney's Docket 021123-0308136

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:  
CAROLINE KREUTZER ET AL.

Confirmation No: 8121

Application No.: 10/804,120

Group Art Unit: 1636

Filed: March 19, 2004

Examiner: James S. KETTER

Title: L-LYSINE-PRODUCING CORYNEBACTERIA AND PROCESS FOR THE  
PREPARATION OF LLYSINECommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450CERTIFICATION OF FACSIMILE TRANSMISSION  
UNDER 37 C.F.R. §1.8

I hereby certify that the following papers, consisting of 11 pages  
including this cover sheet, are being facsimile transmitted to the Patent and  
Trademark Office at (571) 273-8300 on the date shown below:

Amendment and Response Pursuant to 37 CFR 1.111

PILLSBURY WINTHROP SHAW PITTMAN LLP

THOMAS A. CAWLEY, JR., PH.D.  
Reg. No. 40944Date: November 9, 2005  
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(Certification of Facsimile Transmission—page 1)

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PREPARATION OF L-LYSINECommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## AMENDMENT/RESPONSE TRANSMITTAL

Transmitted herewith is an amendment/response for this application.

## FEES

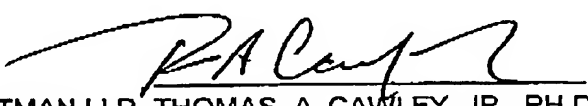
The fee for claims and extension of time (37 C.F.R. 1.16 and 1.17) has been  
calculated as shown below:

|   | CLAIMS<br>REMAINING<br>AFTER<br>AMENDMENT | HIGHEST NO.<br>PREVIOUSLY<br>PAID FOR | PRESENT<br>EXTRA | RATE | ADDIT.<br>FEE  |
|---|---|---------------------------------------|------------------|------|----------------|
| TOTAL                                     | 20  | - 22                                  | = 0              | x \$ | = \$           |
| INDEP.                                    | 4   | - 3                                   | = 1              | x \$ | = \$           |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM |   |                                       |                  |      | + \$ = \$ 0.00 |
| TOTAL ADDITIONAL CLAIM FEE                |   |                                       |                  |      | \$             |
| GRAND TOTAL                               |   |                                       |                  |      | \$ 0.00        |

## FEE PAYMENT

Authorization is hereby made to charge the amount of \$0.00 to Deposit Account No.  
033975. Charge any additional fees required by this paper or credit any  
overpayment in the manner authorized above.

Date: November 9, 2005

PILLSBURY WINTHROP SHAW PITTMAN LLP  
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ATTORNEY DOCKET: 021123-0308136

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PREPARATION OF L-LYSINEAMENDMENT AND RESPONSE PURSUANT TO 37 C.F.R. § 1.111Commissioner for Patents  
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This is in response to the non-final official action dated August 9, 2005, wherein the pending claims were rejected under 35 U.S.C. §101 and the judicially created doctrine of obviousness double patenting. The applicants respectfully traverse in view of the following amendment and remarks.

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